

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

EMILIANO MORENO,

Plaintiff,

v.

No. 18-cv-0014 JB/SMV

BETTY JUDD and FNU LNU,

Defendants.

ORDER TO CURE DEFICIENCY

On January 5, 2018, Plaintiff Emiliano Moreno submitted a Prisoner's Civil Rights Complaint [Doc. 1] and a copy of his inmate account statement for the preceding six months [Doc. 2]. The submission of Plaintiff's financial information appears to indicate his intent to request leave to proceed without prepayment of costs and fees pursuant to 28 U.S.C. § 1915. *See* § 1915(a)(2) (requiring a prisoner seeking to bring a civil action without prepayment of fees or security therefor, to file a "certified copy of the trust fund account statement (or institutional equivalent) for the prisoner for the 6-month period immediately preceding the filing of the complaint"). Plaintiff's filing is deficient, however, because he has failed to submit "an affidavit that includes a statement of all assets such prisoner possesses that the person is unable to pay such fees or give security therefor." § 1915(a)(1). Plaintiff must cure this deficiency by submitting the requisite affidavit within 30 days of the date of entry of this order.

Plaintiff must include the civil action number (No. 18-cv-0014 JB/SMV) of this case on all papers that he files in this proceeding. Failure to cure the designated deficiency within 30 days from the date of entry of this Order may result in dismissal of this action without further notice.

IT IS THEREFORE ORDERED that Plaintiff cure the deficiency designated above no later than **February 8, 2018**.

IT IS FURTHER ORDERED that the Clerk of the Court mail to Plaintiff, together with a copy of this order, a form Application to Proceed in District Court without Prepaying Fees or Costs.

IT IS SO ORDERED.

A handwritten signature in black ink, appearing to read 'S. Vidmar', is positioned above a horizontal line.

STEPHAN M. VIDMAR
United States Magistrate Judge